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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/661,589

Applicant(s)

HAYWARD, BLAKE EARL

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 29-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **Detailed Action**

Claims 29-38 are pending in this Office Action.

Claims 29 and 34 are amended.

Claims 1-28 remain cancelled.

### **Specification**

Applicant's amendment to the specification 1/26/06 has been entered.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 1/26/06 have been fully considered but they are not persuasive. The reasons are set forth below.

### **Applicant's invention as claimed:**

**Claims 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,199,113 by Alegre et al.**

Regarding claim 29, a system for authenticating a user of network (Alegre: col. 4, lines 1-7), comprising:

a network-connected verification server for performing the authentication (Alegre: col. 4, lines 31-42; Fig. 2, tag 226); and

a network-connected appliance operable by the user for sending a request for authentication (Alegre: col. 4, lines 8-10; Fig. 2, tag 110);

wherein the request for authentication comprises a network destination, specified by the user, for at least one site requiring log-in by the user (Alegre: col. 5, lines 21-27), and a username-password pair for the user (Alegre: col. 4, lines 25-31), and the server, in response to the request causes navigation to the at least one site and a login attempt with the username-

password pair, successful login comprising authentication (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 30, the system of claim 29, wherein the network is the Internet network (Alegre: col. 4, lines 17-23).

Regarding claim 31, the system of claim 30, wherein the verification server is a first server (Alegre: col. 4, lines 31; authentication server), and the request is sent from the appliance to a second server (Alegre: col. 4, lines 20-23; user sends request to host), which forwards at least a portion of the request to the first server (Alegre: col. 4, lines 25-31), and the first server returns and indication of verification after causing the navigation and log-in attempt (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Alegre: col. 4, lines 31-37).

Regarding claim 33, the system of claim 30, wherein the request comprises a plurality of site and username-password pairs for the sites, and authentication is a number based on log-in results (Alegre: col. 4, lines 25-42).

Regarding claim 34, a method for authenticating a user of a network (Alegre: col. 4, lines 1-7), comprising the steps of:

(a) accepting by a server a network destination and a username-password pair, specified by the user, as an authentication request from the user (Alegre: col. 4, lines 25-31);

(b) causing, by the server, navigation to the at least one site and a login attempt with the username-password pair (Alegre: col. 7, lines 8-13); and

(c) reporting an indication of authenticity according to success or failure of the login attempt (Alegre: col. 6, lines 13-22).

Regarding claim 35, the method of claim 34, wherein the network is the Internet network (Alegre: col. 4, lines 17-23).

Regarding claim 36, the method of claim 34 wherein the server is a first server (Alegre: col. 4, lines 31; authentication server), and the request is sent from the appliance to a second server (Alegre: col. 4, lines 20-23; user sends request to host), which forwards at least a portion of the request to the first server (Alegre: col. 4, lines 25-31), and the first server returns an indication of authenticity after causing the navigation and log-in attempt (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Alegre: col. 4, lines 31-37).

Regarding claim 38, the method of claim 34, wherein the request comprises a plurality of sites and username-password pairs for the sites, and authentication is a number based on log-in results (Alegre: col. 4, lines 25-42).

### **REMARKS**

Applicant has amended independent claims 29 and 34 to include a detail the request for authentication comprises a network destination, specified by the user.

#### **The Applicant Argues:**

the amended feature is not taught by Alegre because the login page destination is not provided by the user.

**In response**, the examiner respectfully submits:

The Alegre reference does teach the claimed limitation. Col. 5, lines 21-27 also cited in applicant's remarks teaches when the user attempts to access a trusted network, the browser sends a request with URL over the Internet and waits for authentication to occur. The examiner interprets 'the request for authentication comprising a network destination, specified by the user, is the request from the browser that sends URL for access to the trusted resource. The user specifies this destination to access the resource.

Col. 5, lines 59-65 teaches a request for access can contain the required authentication information in the request (UID and PWD). This request for authentication and access to the user specified destination is taught. The Allegre reference teaches redirection to the log-in page if 1) there is no cookie with a stored session key or 2) No UID or PWD data with the request or 3) The UID and PWD are not authenticated. The at least one site requiring log-in by the user is the protected resource specified in the URL. Authentication occurs with the request when login information is submitted with the request and forwarded to the login process.

Applicant's argues the 'request for authentication' is a request for a 'login page' and that the user does not know the destination when requesting authentication because the log-in page is unknown and invisible to the user in Allegre. The examiner has fully considered this argument but views a request for authentication as a request for just that: access, authentication, and verification. A request to log in occurs with the request. Applicant is reading into the broad diction of claims that the request for authentication is a request for a specific network destination log in page.

The user sending the request expects to go through authentication as evidence by the sending of the username and password identification information with the request.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart  
Examiner  
Art Unit 2155

brb



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SUPERVISORY PATENT EXAMINER